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Report of the Secretary-General on the United Nations Support Mission in Libya

I. Introduction

1. The present report is submitted pursuant to Security Council resolution 2095 (2013) of 14 March 2013. It covers major political and security developments, provides an overview of the human rights situation and outlines the activities of the United Nations Support Mission in Libya (UNSMIL) since the last report of the Secretary-General, of 5 September 2013 (S/2013/516).

II. Political and security-related developments

2. During the reporting period, the security environment continued to deteriorate, and there was no significant progress in integrating members of brigades into an effective national army and police force or in the disarming of other armed groups. In addition, the management of the transitional period by the General National Congress and the Government was widely criticized within Libya.

3. Heeding public demands for clarity on the sequence and time frame of the remainder of the transitional period, including the constitution-making process, the General National Congress established a road map committee to look into the various proposals for managing the transitional period after 7 February 2014. The end of the tenure of the General National Congress on this date is based on an interpretation of the Constitutional Declaration of 2011 that is accepted by many, though it is contested by a number of political leaders and experts.

4. The abduction of Prime Minister Ali Zeidan for several hours in Tripoli on 10 October 2013 was a clear manifestation of the charged political atmosphere prevalent in the country. The Prime Minister accused two members of the General National Congress, the Anti-Crime Unit and the Libyan Revolutionaries' Operations Room (LROR) of complicity in his abduction. In response, the General National Congress passed legislation on 3 November 2013 giving the Ministry of Defence authority over LROR and setting out clear conditions under which the President of the General National Congress can act unilaterally in his capacity as Commander-in-Chief of the Armed Forces.

5. Against this backdrop, the Special Representative of the Secretary-General, Tarek Mitri, convened a series of high-level consultative meetings with leaders from

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across the political spectrum to forge consensus on the way forward. While a set of principles to guide the transition was adopted, no agreement could be reached on a road map. Three options regarding the constitutional process and general elections were offered to the General National Congress for its consideration.

6. After protracted debate, on 3 February, the General National Congress voted to adopt a "road map" on future transitional arrangements. It stipulated that the tenure of the General National Congress would continue until its authority could be transferred to a constitutionally elected legislative body, subject to the completion of the Constitution drafting process within the four month period outlined in the Constitutional Declaration. Should the Constitution Drafting Assembly conclude two months after convening that it is unable to complete its task within the prescribed time, general elections would be called for a new interim Parliament and President under an amended Constitutional Declaration and new election law. The Parliament and President would serve for a period of 18 months from the date of the first session of the Constitution Drafting Assembly, and any renewal of their terms would be subject to a popular referendum.

7. The reporting period saw the failure of repeated motions within the General National Congress to withdraw confidence from the interim government headed by Prime Minister Zeidan. Concomitantly, major political parties engaged in discussions around a political agreement that included a change of Government and a number of political reforms. At the time of reporting, no agreement had been reached.

8. Progress was made in the work of the commission set up by the Prime Minister in August 2013 to prepare for an inclusive national dialogue that would set the stage for the development of a broad-based peace and reconciliation process. The commission established an advisory body, whose membership is drawn from representatives of the major political parties, civil society organizations, regions and ethnic groups. It also convened two workshops, in which discussions focused on the commission workplan and the parameters of the dialogue model to be adopted for Libya. In January 2014, the commission publicly articulated its vision for a national dialogue conference, which was expected to commence in March. UNSMIL is working closely with the commission, providing it with technical advice and support, and has also drawn upon expertise from the United Nations Development Programme (UNDP).

9. Over the course of the reporting period, armed groups and unarmed protestors closed or disrupted many of the country's oil and gas fields, pipelines, export terminals, refineries and power stations in pursuit of political or financial demands. As a result, national crude oil output dropped at times to as low as 150,000 barrels per day — less than one tenth of peak capacity — and exports, on which Libya is almost entirely dependent for revenue, also fell to alarmingly low levels.

10. The most serious of these oil disruptions was caused by the continuing blockade of oil export terminals in eastern Libya by a pro-federalist group. Successive attempts to resolve the crisis by the Government and the General National Congress, as well as leading tribal figures in eastern Libya, have proven unsuccessful. On 10 December, the group offered to reopen the terminals, subject to a number of conditions, namely, the creation of an oil-revenue oversight committee, the allocation of a proportion of State oil revenues to the east, and an investigation

into alleged fraud in the petroleum industry. However, the offer was withdrawn five days later, with the group blaming the Government for the failure of the talks.

11. On 5 October, United States forces captured Nazih al-Regaei, also known as Abu-Anas al-Libi, in Tripoli and transferred him to United States civilian law enforcement custody in New York. He is currently on trial on charges related to the 1998 United States Embassy bombings in East Africa. Most political leaders condemned this action as a violation of national sovereignty.

Constitution-drafting process

12. Continuing political and security crises have drawn most political and public attention away from the constitution-making process and raised questions regarding the role of the Constitution Drafting Assembly, its relationship with the General National Congress and its schedule. Public anger with both the General National Congress and the Government has given rise to widespread frustration with the political process as a whole. Together, these factors appear to have resulted in public apathy and a reluctance to engage with the constitutional process.

13. On 23 December, in response to mounting public calls to dissolve and replace it with a new legislative body, the General National Congress adopted a resolution stating that the Constitution Drafting Assembly elections would be held in February 2014. Subsequently, the High National Election Commission wrote to the General National Congress recommending, in accordance with the Assembly electoral law, that the vote take place on 20 February. The elections took place as planned, albeit initial polling figures suggested a low turnout nationwide. The timeline also calls for the completion of a draft constitution by July 2014, to be followed by a referendum and general elections.

14. No candidates from the Amazigh community registered for the two Constitution Drafting Assembly seats reserved for them. They objected to what they described as inadequate protections of their rights in the constitutional process. While Tuareg and Tabu candidates registered for their reserved seats, both communities had threatened to boycott the vote. On polling day, Tabu and Tuareg leaders did not allow for polling to take place in Ouvaira and Murzuq districts.

15. In an effort to help the Libyan people prepare to participate in the constitution-drafting process, the United Nations remained actively engaged in supporting civic education and public outreach on constitutional issues. UNSMIL chairs a constitutional support working group that serves as the primary coordination and information-sharing mechanism for international partners. UNDP organized a number of training workshops on constitutional processes and has given support to a Libyan-led national outreach campaign. In collaboration with the United Nations Electoral Support Team, UNDP also trained women's rights advocates on the electoral elements of the constitutional process. Additionally, UNSMIL, jointly with Libyan institutions, organized two workshops in December 2013 on the theme of "Human rights and the Constitution". The events brought together parliamentarians, government officials, academics and human rights activists, and provided an opportunity for a discussion on the protection and promotion of human rights in the future Libyan Constitution. In February 2014, UNDP, in partnership with UNSMIL, organized a one-day introductory training workshop for about 600 candidates for the Constitutional Drafting Assembly on constitutional processes and concepts.

Security situation in Tripoli

16. Noteworthy transformations in the security landscape in Tripoli occurred during the reporting period, with the withdrawal of several major armed revolutionary groups from the capital. Their pull-out followed a series of clashes between rival brigades from Tripoli and Misrata on 4 and 7 November, the deadliest since the end of the armed conflict in 2011. The fighting triggered a wave of popular anger against the continued presence of armed brigades in the capital, with demonstrators taking to the streets in Tripoli and other cities in the country.

17. On 15 November 2013, a mass protest, prompted by calls from the local council and other civil groups for the withdrawal of all armed groups from the city, led to violent confrontations after protestors marched on compounds held by Misratan brigades in the Ghargour district; 46 people were killed and another 516 were injured. Bowing to public pressure, the local, military and consultative councils of Misrata decided to withdraw their city's armed brigades from Tripoli and hand over their bases to State authorities. Although a number of other armed groups in the city followed suit, the status of several others remained unclear.

18. Despite government efforts to assert control over Tripoli and prevent a security void resulting from the withdrawal of some of the revolutionary brigades, there remain serious problems regarding overall public security. Of particular concern is the steadily growing criminality, reflected in the increased number of kidnappings, robberies and hijacking of vehicles.

Eastern Libya

19. The overall situation in eastern Libya continued to raise concern. Deep political and ideological rivalries, a recurrently volatile security situation and the absence of a coherent strategy by the State authorities towards eastern Libya have exacerbated instability in the eastern region, with inevitable consequences for the entire country.

20. The series of targeted assassinations in Benghazi, primarily against serving and former security and judicial personnel, continued almost unabated, despite efforts by national authorities to reinforce security in the city. Separately, tensions between the authorities and the Ansar al-Sharia group, whose presence in the city and its environs had been gradually fortified over the past year, escalated into open fighting on 24 November 2013 between the group and army special forces, resulting in at least nine deaths. The fighting appears to have prompted several subsequent attacks against security forces, including an apparent suicide bombing on 22 December that killed 13 people.

21. Popular protests in Benghazi against the presence of armed groups escalated in the wake of the 24 November clashes. A similar protest movement took place in Derna, where Islamist armed groups have been dominant since the revolution. A succession of demonstrations in early December 2013 forced Ansar al-Sharia to abandon its headquarters in Benghazi. A series of attacks on government and security premises and individuals associated with the campaign followed. The Government appointed a military governor for Benghazi on 6 December and took a number of other steps to reassert State authority. Despite these efforts, the situation remained quite unstable.

22. The stand-off between the central authorities and pro-federalists blockading oil terminals in eastern Libya continued during the reporting period. On 2 October 2013, leaders of the federalist movement announced the appointment of a chief executive and military commander for what they call the autonomous "Federal Region of Barqa". They also named members of an executive bureau and announced plans to appoint a regional legislature. They subsequently announced that they intended to allow oil to be sold from the blockaded terminals to fund the new regional administration, which prompted national authorities to order the navy to intercept any tankers suspected of trying to load oil from the terminals concerned. On 6 January 2014, Libyan naval forces fired warning shots to turn back a Maltese-flagged tanker suspected of trying to approach one of the facilities.

Southern Libya

23. Fighting and kidnappings in southern Libya have increased since December 2013. Clashes between the Tabu community and the Awlad Suleiman tribe erupted on 9 January 2014, resulting in over 90 deaths. A ceasefire brokered on 13 January collapsed days later. Mediation efforts by both Government and civil society representatives remain ongoing, but progress has been limited. A complicating factor was the involvement of armed groups that are perceived to be supporters of the former regime. Following a visit by the Prime Minister to Sabha and its environs on 19 January, the Government announced that it would deploy forces to stabilize the area, which arrived on 29 January. At the time of reporting, the situation in the south remained highly tense.

24. On 28 November, an unidentified force raided one of the main ammunition depots in Barak al-Shati, causing a massive explosion and significant casualties. Attempts by regional military authorities to assume control of the situation in the south and to deploy army and police forces continued to face resistance from several armed militias which have rejected calls to disarm.

25. Heightened tension in Kufra in the south-east and Ajdabiya in the east led to fighting between the Tabu and the Zwaya tribe, which left at least four people dead and prompted a wave of tit-for-tat abductions and burning of homes. In response to promises of government action, Tabu protestors conditionally suspended a two-week blockade of the main highway into Kufra on 11 December 2013. The Tabu and Zwaya sides subsequently reached a prisoner exchange agreement on 6 January 2014. Meanwhile, clashes resumed in mid-January between the Zwaya and Tabu tribes over control of al-Sarir oil fields north of Kufra, resulting in power and water cuts affecting a number of cities in the east, as well as a shortage of goods to south-eastern areas.

III. Activities of the United Nations Support Mission in Libya

A. Electoral support

26. Preparations to elect the Constitution Drafting Assembly continued throughout the reporting period. The High National Election Commission closed candidate nominations on 7 November and completed in-country voter registration on 16 January. Polling day took place on 20 February.

27. The electoral process articulated in Law 17/2013 uses a majoritarian system of voting, with single- and multi-member constituencies, a complex system made even more so by the reservation of six seats for women and six for the Amazigh, the Tuareg and the Tabu communities.

28. The official High National Election Commission list included a total of 649 candidates, of whom 64 were women. The candidates were concentrated in major urban areas. A total of 54 candidates contested the six seats reserved for women, while 19 candidates, including 1 woman, contested the four seats reserved for the Tabu and Tuareg. No candidates were registered for the two seats reserved for the Amazigh component. Campaigning officially began on 25 December 2013 and ended 24 hours before the polls opened on 20 February. Ballot papers were printed abroad by UNDP on behalf of the High National Election Commission.

29. The High National Election Commission employed an innovative short message service system to register voters, one of the first of its kind in the world. Despite the system's technical success, the process was marred by low public participation. Registration by short message service was followed by a one-week in-person registration. A total of approximately 1,102,000 voters registered only after repeated extension of deadlines. Approximately 6,500 people registered for out-of-country voting in 13 countries. Out-of-country voting commenced several days before polling opened in Libya. The figure is modest in comparison with the 2.8 million who reportedly registered and the 1.76 million who voted in the 2012 General National Congress elections. The low registration numbers were an issue of public concern, which was regularly reported on in the media.

30. UNSMIL and its partners continue to provide direct support to the electoral process, providing technical advice through 25 advisers and experts drawn from UNSMIL, UNDP, UNOPS and the International Organization for Migration (IOM) and procuring ballot papers and other electoral materials from international suppliers. However, on several occasions, the deteriorating security conditions limited the ability of the United Nations to co-locate advisers with their High National Election Commission counterparts on a daily basis.

31. During the reporting period, the United Nations actively called for transparency and public engagement in the electoral process. UNSMIL and UNDP conducted information and strategy sessions for women candidates. UNDP and the United Nations Educational, Scientific and Cultural Organization organized a series of training events for senior media members on standards for electoral coverage. Regular meetings, chaired by the United Nations, were held with international partners to share information on support to the elections in Libya and coordinate responses to emerging problems. UNSMIL and UNDP worked with partners in Tunisia and Egypt to strengthen subregional linkages through a programme of events, including the first international conference in the electoral sector to be held in Libya.

B. Human rights, transitional justice and rule of law

32. Despite some positive developments such as the establishment of the national human rights institution, Libya's human rights protection system remains in need of significant strengthening. During the reporting period, UNSMIL supported efforts to ensure, inter alia, the effective administration of justice, a comprehensive

transitional justice strategy, a strengthened legal framework and an enhanced national human rights institution.

Detentions

33. The Ministry of Justice estimates that less than 7,000 people continue to be detained in relation to the 2011 conflict and are awaiting judicial processes. This represents an ongoing and serious human rights concern. These detainees are held mostly by armed brigades over whom the Government has nominal but not effective authority. In some instances, children are held with adults. UNSMIL has provided assistance to the public prosecution on the screening of detainees and continues to offer its technical advice to accelerate the process. UNSMIL has also insisted that children should not be held together with adults. On 7 December, senior leaders of the Warfallah tribe from Bani Walid, held for more than a year in a prison in al-Zawiya without charge or trial, were released.

34. When detention facilities have been handed over to trained officers of the Judicial Police (Libya's prison service), there have been marked improvements in the condition and treatment of detainees. Otherwise, prolonged detention and interrogation in the absence of effective State control or oversight has created an environment conducive to torture and other forms of ill treatment. As documented in a joint report of UNSMIL and the Office of the United Nations High Commissioner for Human Rights (OHCHR) issued on 1 October, torture is widespread particularly immediately after arrest and during the first days of interrogation. Detainees are usually held without access to lawyers and limited to no access to family or relatives. The report documented 27 cases of death in custody since 2011, including 11 in 2013, although the actual figures are believed to be higher. Significant information suggests that torture was the cause of death. The Government of Libya has acknowledged the seriousness of the problem and accepted the recommendations contained in the report.

35. The promulgation of the law on transitional justice on 2 December 2013, requiring that detainees be released or handed over to the judiciary within 90 days, is significant but pending implementation. However, given the lack of State control of the majority of detention facilities, and the absence of a safe environment in which the judiciary can operate, the judicial system faces a significant challenge in meeting such a deadline.

36. UNSMIL will continue its monitoring efforts and its work to assist the Judicial Police in developing its capacity to manage all detention centres in line with international human rights standards.

Trials of senior officials of the former regime

37. On 24 October, the South Tripoli Court endorsed the indictment of 37 senior officials of the former regime, including Saif al-Islam Qadhafi and former intelligence chief Abdullah al-Senussi. They are charged with crimes relating to the 2011 conflict and are expected to be tried in 2014.

38. On 31 May, a Pre-Trial Chamber of the International Criminal Court rejected the admissibility challenge by Libya in the case of Saif al-Islam Qadhafi. Libya appealed that decision and that appeal remained pending during the reporting period. On 11 October 2013, a Pre-Trial Chamber of the International Criminal

Court decided that the case against Mr. Al-Senussi was inadmissible on the grounds that he was subject to domestic proceedings conducted by the competent Libyan authorities and that those authorities were willing and able to genuinely conduct those proceedings. Mr. Al-Senussi's defence team has appealed the decision.

39. The importance of holding fair trials for members of the former regime and ensuring that any defendant is afforded all guarantees of a fair trial and due process, including the ability to speak freely with counsel in confidence, would be a clear affirmation of the rule of law in Libya. The Minister of Justice has reiterated his determination that trials will be conducted in line with international standards. During the reporting period, UNSMIL visited some senior officials of the former regime currently on trial and made a number of recommendations to the Ministry of Justice in relation to conditions of detention and access to counsel in confidence. UNSMIL will be monitoring the trial proceedings.

Judiciary and prisons

40. The safety of judicial personnel remains a serious concern with attacks, death threats and other forms of intimidation continuing against prosecutors and judges. The most senior prosecutor of the Green Mountain region was assassinated in Derna in November, following the assassination of Derna's most senior judge in June 2013.

41. The Government security apparatus and the Judicial Police do not have the capacity to provide a safe environment for the judiciary to operate effectively or to ensure the security of prisons. UNSMIL, in partnership with UNDP and the United Nations Office on Drugs and Crime, continues to work with the High Judicial Institute and the Ministry of Justice to train prosecutors, judges and the Ministry of Defence Office of Human Rights and Humanitarian Law in military justice reform. UNSMIL also continues to advise the Judicial Police on organizational, management and security matters, as well as on the treatment of detainees, in line with international human rights standards. Prison breaks continue, including in Sabha in November 2013 and in Ajdabya in December 2013.

42. In collaboration with the Judicial Police, on 14 and 15 December 2013, UNSMIL organized a round table for all Libyan prison directors, providing an opportunity to share information and discuss ways to overcome existing challenges. Attendees included the Minister of Justice and a number of former leaders of armed brigades who integrated into the Judicial Police. Prison directors adopted recommendations intended to strengthen the Judicial Police and harmonize management approaches.

Transitional justice

43. The new law on transitional justice repeals the previous one issued in 2012 by the National Transitional Council. It represents an important development, as it includes provisions for re-establishing a fact-finding and reconciliation commission to investigate and document human rights violations under the former regime and since the revolution. It also includes provisions on reparations for victims, and emphasizes the importance of accountability and the need for institutional reform.

44. Prior to its promulgation, UNSMIL provided extensive comments relating to the establishment and functioning of the truth commission and of a separate

reparations body, some of which were incorporated into the law. UNSMIL will provide advice and support to the fact-finding and reconciliation commission once its board is appointed, and will continue to assist in the implementation of a comprehensive transitional justice strategy to address abuses committed by all sides and ensure fair trials for all suspects.

45. By the end of December 2013, the commission charged with applying the law on political and administrative isolation reviewed approximately 4,000 cases, identifying 80 individuals for isolation, including 3 General National Congress members, although most cases were under appeal. The overall impact of the law cannot yet be assessed, as some individuals have resigned, were not promoted or were transferred to other positions in anticipation that they would be isolated. According to the Supreme Judicial Council, some 400 judges and prosecutors were reassigned to other functions. Owing to a shortage of judges, many have not yet been replaced, particularly in the south and east, thus placing an additional strain on the judicial institutions that are already facing major challenges.

Violence against women

46. In May 2013, the Minister of Justice submitted a draft law on the care of women victims of rape and violence to the General National Congress, as current legislation does not ensure adequate protection in this regard. The draft law foresees the provision of reparations, including compensation, health care, psychosocial support and shelter. UNSMIL continued to provide advice to the General National Congress and the Ministry of Justice on the development of comprehensive legislation on this and related matters during the reporting period. In January 2014, the Minister called on the General National Congress to accelerate the adoption of this legislation.

National human rights institution

47. Following some operational difficulties, the National Council of Civil Liberties and Human Rights is now fully staffed. In December 2013, UNSMIL, with the support of OHCHR, deployed a consultant to provide technical support to the Council in its efforts to achieve compliance with the Principles relating to the Status of National Institutions (the "Paris Principles").

C. Security sector

48. Security sector governance at the national level remains hampered by lack of clarity about roles and responsibilities and an ill-defined security sector architecture that has failed to undergo significant reform or manage the security crises effectively. As a result, a well-defined government plan to rebuild and reform State security institutions remains elusive. At the same time, there has been little progress in implementing the security provisions in the Security, Justice and Rule of Law Development Plan agreed by the Government of Libya in Paris in February 2013.

49. The resolution of current security issues in Libya and progress in security sector reform require the active cooperation of revolutionary and other armed formations operating in the country. The need remains for the Government and the General National Congress to engage these armed groups in order to reach agreement on their absorption into State institutions or a return of their members to civilian life.

Security sector architecture and coordination

50. The absence of an agreed strategy and lack of a clear division of national security responsibilities between the President of the General National Congress, the Prime Minister, the General National Congress security committees and the executive ministries continue to impede the direction and coordination of security sector reform in Libya. The continuing absence of a comprehensive national security architecture has meant that individual efforts by ministries or other agencies has been sporadic, dispersed and poorly resourced. UNSMIL will continue to provide advice on national security architecture and security sector governance. In this context, it is important that security is given comprehensive consideration in the national dialogue process.

51. The inter-ministerial coordination committees for reintegration and border security have been carrying out important work under the current difficult circumstances. Plans for the establishment of further committees, notably for the control of arms and ammunition are encouraging. These committees are valuable in establishing dialogue and cooperation, and making recommendations on policy and strategy that cross ministerial boundaries. However, they cannot be considered as a substitute for proper security governance through the ministries, particularly in the implementation of development plans. Their work needs the active support of ministers within an overall security framework, if they are to be effective.

Disarmament, demobilization and reintegration

52. There has been some progress made in the integration of revolutionaries into the police and the Libyan army and the work of the committee that was formed following General National Congress Decision 53 of 2013 to coordinate and oversee this process. The decision calls on the Government to develop a security plan to integrate all "legitimate" armed groups into the State security forces and to disband all those deemed "illegitimate". The committee is also playing a key role in coordinating reintegration activities and establishing credibility for the provision of alternative livelihoods for former revolutionaries. Its work forms a key part in creating the appropriate conditions for armed groups to enter a dialogue leading to voluntary disarmament and the national control of arms. In that regard, while figures for reintegration in the army remain unclear, the Ministry of the Interior reports having registered 101,086 Supreme Security Committee members across Libya as at 10 December 2013. That includes 2,993 who are under training, 18,882 who are awaiting training, 29,194 who did not meet the criteria for entry, 29,774 in the vetting and selection process, and 19,531 who completed training.

53. The Warriors' Affairs Commission for Rehabilitation and Development recently published a comprehensive strategy to reintegrate 160,000 former revolutionaries. The strategy includes social, political, economic and education programmes, and is supported by UNSMIL, United Nations agencies and some Member States.

Border security

54. While there has been little progress in improving Libyan border security, it is encouraging to note that there is developing cooperation in the recently formed Inter-ministerial Committee on Border Management, assisted by both UNSMIL and the European Union Border Assistance Mission. There is growing interest among

various agencies regarding coordination of their border activities. UNSMIL and the European Union Border Assistance Mission, assisted by Member States, are exploring areas for joint programming. There is also increasing interest in developing a regional approach to border security, and Libya is playing an active part in that process. Following the Regional Ministerial Conference on Border Security in Rabat in November 2013, which made a series of concrete recommendations, Libya has agreed to organize a secretariat for future meetings and to follow up on the conclusions of the conference.

Arms and ammunition management

55. Unsecured and damaged arms and ammunition, stockpiled weapons, chemical weapons material, easily accessible small arms and light weapons, explosive remnants of war, unexploded ordnance and improvised explosive devices continue to pose a serious threat to national, regional and international security. Incidents like the ammunition depot explosion, which occurred on 24 November 2013 in Sabha, underscore the need for safe and secure ammunition and arms management. A total of 408 small arms-related incidents occurred during the reporting period, killing 402 and injuring 919 people; 120 incidents related to improvised explosive devices killed 45 people and injured approximately 100 others.

56. The Arms and Ammunition Advisory Section of UNSMIL, supported through the United Nations Mine Action Service (UNMAS), continues to assist the Libyan authorities in developing a comprehensive strategy for arms and ammunition management. The strategy includes rehabilitation plans for ammunition storage areas, weapons control management, safe and secure disposal of chemical weapons and material, and national regulations for the safe storage and handling of ammunition. The strategy will further inform the development of national standards consistent with international best practices. A senior Ammunition Technical Officer has been deployed to Libya to assist in the identification of stockpile management methods suitable for the Libyan Armed Forces and their command structure. Prime Minister Zeidan also indicated his intention to form a Committee for Arms and Ammunition to develop Libyan capacity to deal with surplus arms and ammunition and produce a long-term plan for the storage and handling of stocks required by the Libyan authorities.

57. Furthermore, the Arms and Ammunition Advisory Section is in the process of developing a multi-year nationwide plan to complement the arms and ammunition management strategy and contribute to an enabling environment for wider Libyan disarmament efforts; specifically, the disposal of surplus, unserviceable and damaged arms and ammunition. These activities will require sustained engagement by the international community to support the enhancement of institutional governance and security structures.

58. The Arms and Ammunition Advisory Section, with UNMAS assistance, continued to provide support to the Government of Libya by coordinating efforts for the clearance of landmines and other unexploded ordinance and explosive remnants of war, as well as the provision of technical and operational support to the Ministries of Defence and the Interior.

59. UNMAS has cleared 49,592 explosive remnants of war and landmines covering a total of 13.5 square kilometres of economically viable land and military areas. However, the availability of explosives to fully destroy these hazardous items

remains a significant obstacle. UNMAS, in cooperation with other United Nations agencies, conducted 355 explosives risk education activities during the reporting period, benefitting a total of 8,258 people. Meanwhile, a national mine action strategy was adopted by various national mine action counterparts, and was officially endorsed by the Ministry of Defence in December 2013. UNDP and UNSMIL contributed to the draft strategy through the provision of technical expertise and advice.

60. Despite those efforts, without additional financial support, the proliferation of unsecured arms and ammunitions and the presence of unexploded ordinance and landmines will continue to exacerbate the already frail security situation and increase the threat posed to civilian populations in Libya and neighbouring countries.

61. On 16 December, the General National Congress passed legislation criminalizing the civilian possession of heavy and medium weapons and ammunitions. The law sets a three-month deadline for the handover of such weapons and ammunition, and makes licensing of all other light weapons obligatory. This legislation, however, has not been backed up by practical arrangements for its implementation.

Defence sector reform

62. During the reporting period, progress on defence sector reform was interrupted by the two-month delay in the appointment of the Minister of Defence and the Chief of the General Staff. Under the current incumbents, there has been slow but steady progress in many areas, although a well-defined plan for the overall role and structure of the army has yet to be agreed.

63. There have been significant advances in training. Several Member States have begun the overseas training of a general purpose force, a process expected to continue for up to two years. The Ministry of Defence is also conducting in-country training at six centres to prepare those deploying overseas, with plans for further training to take place inside Libya with international support, in addition to individual training carried out by Member States.

64. The Libyan public welcomed the deployment of the army onto the streets of Tripoli and Benghazi during the tragic events of November 2013, raising its morale and effectiveness. It is critical that this trend be sustained through the encouragement by the political leadership and organization and effective use of the troops who have received training both overseas and in Libya.

65. It is encouraging to note that the Government has decided to increase the basic military salary to encourage recruitment, particularly among former revolutionaries, and has taken steps to redress the unbalanced rank and age structure of the army by retiring senior officers and recruiting younger soldiers.

Police reform

66. UNSMIL and Member States have continued to devote significant effort to police reform, most notably in the areas of operational policing, diplomatic security, procurement, human resources, training, criminal investigation, community policing and child and family protection. While much appreciated by the Libyan authorities, this assistance must be complemented by a similar effort to reorganize the Ministry

of the Interior and create an independent police force with professional standards in accordance with international best practices.

67. With assistance from the global focal points for police, justice and corrections, UNSMIL and UNDP have joined efforts to support the Ministry of the Interior and the police to improve policing in Libya. Three major themes have been identified that involve institutional reform, public safety and community policing. This joint support is expected to be initiated as soon as possible.

68. In September 2013, the Ministry of the Interior, with the support of UNSMIL, conducted a workshop on police reform and development that brought together representatives from the Ministry of the Interior, other ministries, civil society representatives and representatives of the international community. The participants developed recommendations on restructuring the Ministry of the Interior and the police, internal and external oversight mechanisms, security threat assessment and community policing. UNSMIL is following up with the Ministry of the Interior to establish a High Committee for Police Reform and Development.

69. The introduction of a community policing concept started in Tripoli, and two workshops for police and the local community were organized. UNSMIL is also working on the establishment of a Family and Child Protection Unit with the Tripoli Police Directorate in cooperation with the United Nations Children's Fund.

70. In preparation for the Constitution Drafting Assembly elections, the Ministry of the Interior established the High Election Security Committee, which is headed by the Deputy Interior Minister for Security Affairs. UNSMIL has supported the Committee by holding a workshop on the theme "Lessons learned from the 2012 General National Congress election security and preparation of security plan for Constitution Drafting Assembly election", developing a police handbook for election security and developing a training programme on election security. UNSMIL also conducted six "train-the-trainer" courses for 88 police training officers. UNSMIL and officials from the Ministry of the Interior will also conduct field visits to support election security preparation in the regions.

D. Coordination of international assistance

71. As part of ongoing UNSMIL support to the Office of the Prime Minister, an agreement was signed with the United Nations Office for Project Services (UNOPS) in December 2013 to establish a Technical Support Unit within the Office of the Prime Minister, funded by the Government of Libya, to provide technical expertise and improve implementation capacity and coordination on the main national priority areas.

72. In accordance with the United Nations integrated strategic framework for Libya for the period 2013-2014, the United Nations country team in Libya has completed the mid-year review for both the integrated strategic framework and the country team strategic framework. The results show positive achievements in the areas of health and education, while indicating some challenges in the effective utilization of available United Nations resources to build national capacity. The results of both reviews show that the unstable security situation represents a major obstacle for the implementation of projects and programmes.

73. UNSMIL continues to convene sectoral working groups to ensure better coordination of international assistance to Libya. Most international partners continue to participate actively in the work of these groups. Libyan ownership of the coordination process is now increasing as national counterparts demonstrate more active participation. UNSMIL will continue to insist on the need for Libyan authorities to exercise effective leadership and avails itself to contribute towards the development of such a role.

74. Preparations for the convening of the ministerial conference in support of Libya, to be held in Rome in early March, are well under way. In this regard, UNSMIL and international partners are working in close consultation with the Libyan authorities. The conference, which is intended to provide a platform for the political support of the international community to the Libyan authorities and its people, will build on the partnership agreed during the previous ministerial conference held in Paris, in 2013, in support of the priorities identified by the Government of Libya in the areas of security, rule of law and justice, and its vision to deliver concrete benefits to the Libyan people.

E. Humanitarian situation

75. In November, the World Health Organization visited various border entry points in support of the Ministry of Health to help implement health security measures to prevent the entry and spread of communicable diseases.

76. The challenges related to the management of migration to Libya are immense, and conditions for migrants remain dire. IOM has been providing direct assistance to meet basic needs of migrants, including non-food items, health services, and return and reintegration assistance, as well as improving living conditions in reception centres. It also helped build the capacity of government entities that have a role in migration management. To date, IOM has assisted 1,083 migrants to voluntarily return to their countries of origin through a European Union-funded programme. Libyan authorities and neighbouring countries need to make concerted efforts to prevent unnecessary loss of life at sea and to protect particularly vulnerable migrants, such as trafficked people and unaccompanied minors.

77. IOM continued to provide psychosocial assistance through its community centres in Tripoli, Benghazi and Misrata. Community members have come to own this initiative in a visible manner.

IV. Safety and security

78. The security situation in Libya continues to remain tense and unpredictable. Fighting between armed groups, assassinations, carjackings, abductions, civil unrest and terrorism-related incidents remain likely to occur, given the absence of law and order, illegal armed groups, unresolved tribal disputes and various unresolved political issues.

79. A number of criminal incidents, including carjackings, intimidation and robberies, targeted the international community during the period under review. The most significant included the attack against the Russian embassy in Tripoli, the attempted abduction of the Turkish Consul in Benghazi, the bomb attack on the

Finnish and Swedish consulates in Benghazi, the killing of a teacher from the United States in Benghazi, the killing of a Turkish national in Tripoli, and the killing of British and New Zealand nationals near Mellitah Oil and Gas Company. On two separate occasions, United States nationals were detained and later released in Al Ujalat, Sabratha and Benghazi. The most significant incident involving United Nations-related personnel was the armed attack on an IOM vehicle in Tripoli on 19 December 2013.

80. In view of significant security incidents throughout the country and the inability of the host Government to provide effective security, United Nations programmes have continued with undeniable constraints and limitations. The United Nations intensified its efforts to protect and ensure the safety and security of its staff by refining its integrated approach with respect to staff dispersal, facilities management and movement. These were necessary steps to enable the continuation of United Nations operations and programme delivery.

81. On 21 November 2013, the Secretary-General wrote a letter to the President of the Security Council (S/2013/704) recommending the deployment of a United Nations guard unit to ensure security for United Nations staff and premises in Tripoli. Once made public, the proposal to send a military force of up to 232 people provoked a public controversy. The Government of Libya and UNSMIL spared no efforts to dissipate misinterpretations. The Security Council had been informed about those developments, underlining the need to avoid exacerbating suspicions, no matter how unjustifiable they may be. The Special Representative of the Secretary-General called for a revision of the initial plan in a way deemed by UNSMIL most adapted to the Libyan situation. The Security Council response was supportive. Other options are being considered and a new proposal is to be finalized soon.

V. Mission development and implementation of mission concept

82. As at 31 December 2013, a total of 235 UNSMIL international and national staff members and 11 Government-provided personnel had been deployed to UNSMIL, of whom 221 are posted in Libya. In January 2014, UNSMIL regrettably lost the head of the Benghazi subregional office and the Training and Development Officer, both of whom died in their respective home countries during their rest and recuperation leave. In his report of 5 September 2013 (S/2013/516), the Secretary-General highlighted the challenges related to identifying and recruiting individuals with the necessary specialist skills in areas such as security sector reform and constitution-making process for work in Libya.

83. UNSMIL continues to implement its mission concept with an emphasis on flexibility and responsiveness to needs on the ground and the normative responsibilities of the United Nations. The Mission's small core of relatively senior advisers across a range of highly specialized technical areas of expertise, such as security sector reform, constitution drafting, and women's empowerment, are complemented by Government-provided personnel, consultants, members of the standby mediation team of the Department of Political Affairs, and staff and consultants engaged through the country team to perform priority tasks reflected in the integrated strategic framework. In 2013 UNSMIL responded to the Government request for support with 18 consultants in areas such as military procurement and personnel systems, public speaking for senior officials, transitional justice and

judicial reform, and ammunition storage. UNSMIL made use of the Government-provided personnel modality to provide support in areas such as police training and penitentiary reform.

84. As at 31 December 2013, women represented 31 per cent of the 235 staff on board: 50 per cent of national professionals, 33 per cent of international professionals, 33 per cent of the leadership posts, and 27 per cent of field service staff. Retaining staff is a challenge. Since mission start-up through the end of 2013, 78 staff on temporary or fixed-term assignments departed UNSMIL. Of these, 60 per cent (47) were international professional staff. Women represented 44 per cent of staff departing over the Mission's life span, and 57 per cent of the departing international professional staff. Clearly, women are departing in larger proportions than they are being recruited. As is typically the case in field missions, it is difficult to retain mid-level women. It is also difficult to identify and retain women in leadership positions.

85. UNSMIL has filled 33 international professional posts through post-specific job openings, 36 per cent (12) of which were filled with women candidates, of whom 7 are at the senior level of P-5 and above. UNSMIL has been challenged to attract and recruit national professional expertise in a number of areas, particularly translation, interpretation, human rights, political affairs and public information.

VI. Financial aspects

86. By its resolution 68/247, the General Assembly approved an amount of $46,681,500 for UNSMIL for the period 1 January to 31 December 2014.

VII. Observations and recommendations

87. As elsewhere in the Middle East and North Africa region, radical political transformations came with the hope of new opportunities and a better future. The Libyan experience is an example of how political transitions are fraught with difficulties and risks, at times even threatening to derail the very same movement for change for which the revolutions were fought. Developments in Libya underscore the urgent need for the country's political forces to firmly commit themselves to the democratic process.

88. Elections, while essential, are not the sole agent of democratization, especially given Libya's post-conflict dynamics. The huge task of forging a renewed civic consciousness cannot be underestimated. Upholding principles of political pluralism and the recognition of diversity are central to any democratic process. Institutions and mechanisms that facilitate inclusion and the search for consensus are key to a successful transition. Many Libyans appear to be increasingly sceptical about the credibility of the political process and disappointed by the slow progress in implementing political and security reforms and improving governance. There is an urgent requirement to address this mounting public frustration, so that Libya's political transition does not suffer a major setback, with grave consequences for its stability and that of the region.

89. The success of the transition in Libya will hinge in large part on the commitment of its leaders from across the political, civil society and revolutionary

spectrum to an inclusive dialogue, aimed at forging consensus on a range of defining issues, including the political system, functions and roles of state institutions, reform of the security sector and national reconciliation.

90. In that regard, the Secretary-General is encouraged by the steps already taken to facilitate consultations among political leaders and prepare for national dialogue. He reiterates the commitment of the United Nations to support inclusiveness, transparency and the pursuit of mutually agreed national priorities. He also calls on all parties in Libya to voice their unambiguous support for the national dialogue and to agree on a unified approach in order to maximize the chances of its success.

91. The situation in Benghazi and the east is disturbing, given the continued and accelerating spate of assassinations. The Secretary-General remains deeply concerned by the apparent lack of progress in investigating these killings, identifying the perpetrators and bringing them to justice. The impact of this growing violence and intimidation is bound to undermine not only security in the east, but the country's stability as a whole. The Secretary-General therefore calls on the authorities to assume their responsibilities in providing security and putting an end to impunity. He also urges all parties in Benghazi and the east generally to join efforts in rejecting the use of violence to achieve political objectives.

92. Given its importance for the future of Libya, the constitutional process has rightly received attention from Libyans and the international community alike. A successful constitutional process will require a conducive political and security environment and the forging of a broad national consensus. A Constitution that is arrived at in such a manner will reflect the shared values that bind Libyans together, affirm a national identity and define the character and role of the State and its main institutions. The Secretary-General urges all parties not to jeopardize this historic undertaking in the pursuit of short-term political gains.

93. The continued detention of thousands of detainees by armed groups outside effective State control remains a serious human rights and rule of law concern. The Secretary-General calls on all parties to complete the release or handover of all detainees to the effective custody of State institutions as quickly as possible, and to allow the judicial process to proceed in accordance with international human rights standards. In addition, allegations of torture should be investigated and those responsible brought to justice.

94. Libyan judges, prosecutors and prison officials continue to face major obstacles. The Secretary-General reiterates his previous recommendation that the Libyan authorities adopt a security plan for the justice sector. This is absolutely necessary for ensuring the fair screening of detainees, the security of prisons and the conduct of trials in line with international standards.

95. The Secretary-General welcomes the adoption of the law on transitional justice, which can play an important role in addressing the legacy of past abuses. He encourages the Libyan authorities to ensure its full implementation, specifically the establishment of an effective truth commission and a fair reparations policy. He urges the Libyans to intensify their efforts to address the issues of missing persons and the internally displaced according to international human rights and humanitarian standards.

96. The volatile security situation is linked to the slow progress in security sector reform, which can only be accelerated with the serious commitment of all parties. In

that regard, the Secretary-General urges the Government to redouble its efforts to establish national security governance structures and reform and strengthen existing institutions.

97. Progress in reintegration has been hindered by the precarious security situation in Libya, the weakness of its security institutions and the absence of systematic engagement with the armed groups. It is essential to agree on a shared vision, design a coherent plan and establish sufficient trust for the handing over of weapons.

98. The United Nations will continue to offer its full support and assistance to the Libyan authorities in accordance with the principles of national ownership. To that end, the Secretary-General recommends that the Security Council renew the mandate of UNSMIL for another 12 months as an integrated special political mission in the areas provided for by the Security Council in its resolutions 2009 (2011), 2022 (2011), 2040 (2012) and 2095 (2013). Taking into account the priorities of the Government, the United Nations will intensify its focus in particular on facilitating dialogue among Libyan political forces, providing support for the establishment of an inclusive national dialogue, and supporting the constitutional process. Additionally, UNSMIL plans to expand its work on the safe storage of arms and ammunition throughout the country. The United Nations will continue to make available resources and expertise in support of these national priorities.

99. The Secretary-General reiterates the United Nations commitment to support the Libyan people during this difficult transition. He calls on all Libyans to stand united in rejecting all forms of political violence, and he commends the Libyan authorities for their commitment to Libya's democratic transition. He also extends his gratitude to all international partners for their continued collaboration with the United Nations in the implementation of its mandate. Finally, the Secretary-General wishes to extend his sincere thanks to his Special Representative and the staff of UNSMIL and the United Nations system for their efforts to support Libya's transition.